



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

August 28, 2014

Mr. Tony Lieberman
Solutions – IES, Inc.
1101 Nowell Road
Raleigh, NC 27607

Re: Notice of Deficiency
Eaton Manufacturing
Selma, Johnston County, NC
Site ID No. NONCD0002853

Notice of Deficiency
Eaton Corporation – Sanford
Sanford, Lee County
Site ID No. NONCD0001662

Dear Mr. Lieberman:

As required by law, the Inactive Hazardous Sites Branch (Branch) performs audits of remedial actions carried out by environmental consulting firms at sites in the privatized Registered Environmental Consultant (REC) Program. Self-certification by RECs replaces state oversight of the cleanup activities. As such, auditing of remedial activities for regulatory compliance is conducted to ensure protection of public health and the environment. These audits also help us improve our procedures, guidance documents, and training for RECs working on projects in the program.

I have conducted a technical audit of the July 2014 Remedial Action (RA) Progress Reports you certified as the Registered Site Manager (RSM) for the Eaton Manufacturing Site and the Eaton Corporation –Sanford Site. The following comments are provided:

1. Certification of documents is a critical and primary means of ensuring the regulatory compliance and integrity of work conducted under the REC Program. This certification which replaces state staff review is there to ensure the safety of the public. The purpose and procedures for proper certification are explained in detail in the REC Program Implementation Guidance (Guidance), discussed during REC training sessions, and stressed in each of the REC Program Newsletters that are sent to all RSMs. Proper certification is necessary to ensure its validity. The certification included with the RA Progress Reports was not completed properly [see 15A NCAC 13C .0306(b)] in that it was certified out of sequence (i.e., the RSM certification was before the remediating party's certification). I have contacted Solutions – IES in the past regarding incorrect certification of documents. Therefore, the RA Progress Report received July 10, 2014 must be properly certified and resubmitted.

2. During cleanup activities, progress reports need to include copies of all laboratory testing data [see .0306(o)(4)] to document contaminant concentrations. The laboratory reports are necessary so that all interested parties, including the general public and Branch, can review and verify the cleanup activities. I did not find the laboratory data in the progress reports submitted to our office.

Please resubmit properly certified RA Progress Reports with all the supporting laboratory reports within 30 days of receipt of this letter. If you have any questions or need to discuss the ongoing project activities, please contact me at (919) 707-8350 or Kim.Caulk@ncdenr.gov.

Sincerely,



Kim T. Caulk
Division of Waste Management

cc: Mr. Jeffery Allen, Eaton Corporation